

WAIWERA THERMAL RESORT LIMITED (IN LIQUIDATION)

LIQUIDATORS' FIRST REPORT TO CREDITORS AND SHAREHOLDERS Pursuant to Section 255(2)(c) of the Companies Act 1993

1. INTRODUCTION

Waiwera Thermal Resort Limited (In Liquidation) ("the Company") was placed into liquidation on 15 February 2019 by order of the High Court at Auckland pursuant to section 241(2)(c) of the Companies Act 1993 ("the Act"). Tony Leonard Maginness and Jared Waiata Booth ("the Liquidators"), CAANZ Accredited Insolvency Practitioners (NZ), were appointed joint and several liquidators of the Company.

The Liquidators hereby report to creditors and shareholders of the Company in accordance with section 255(2)(c) of the Act.

2. RESTRICTIONS

Whilst all care and attention has been taken in compiling this report, the Liquidators, Staples Rodway Limited ("Staples Rodway"), its employees and agents do not assume any responsibility or liability for any losses occasioned to any party for any reason including as a result of the circulation, publication, reproduction or use of this report.

The Liquidators reserve the right (but will be under no obligation) to review this report and, if considered necessary, to revise the report in light of any information existing at the date of this report which becomes known to them after that date.

3. ATTACHMENTS

The following documents are included in this Report:

Appendix A: Statement of Affairs of the Company;
Appendix B: Schedule of Creditors;
Appendix C: Notice to Creditors to Prove Debts or Claims;
Appendix D: Notice of Decision to Dispense with Meeting of Creditors;
Appendix E: Declaration of Independence, Relevant Relations and Indemnities;
Appendix F: Remuneration Report;
Appendix G: Creditor's Claim Form.

4. BACKGROUND

| | |
|------------------------|-----------------------------------|
| Date of Incorporation: | 12 March 2010 |
| Company Number: | 2435781 |
| Business: | Thermal Pool Resort |
| Trading Address: | Waiwera Road, Waiwera |
| Directors: | Leon Fingerhut Mikhail Khimich |

Share Capital: 10,000 shares
Shareholders: Ordovery Trust

The Company leased premises at Waiwera Road, Waiwera, from which it operated a thermal resort and hot pools business.

According to information currently available to the Liquidators, the Company closed its business in February 2018 in order to undertake renovations. These renovations ceased at an incomplete stage in or about September 2018 due to insufficient funds, and the Company's landlord re-entered the leased premises and cancelled the lease in October 2018 due to non-payment of rent.

The Company was placed into liquidation on 15 February 2019 by order of the High Court.

5. STATEMENT OF FINANCIAL POSITION

The Liquidators include a Statement of Financial Position for the Company as at the date of their appointment at Appendix A. The information contained in the Statement of Financial Position is based upon information provided by the officers of the Company, available Company records and the Personal Properties Securities Register ("PPSR"). The Liquidators have not verified nor audited the information supplied, and it is possible that subsequent investigation could result in a revision of the information thus presented.

6. ASSETS AND PROPOSALS FOR CONDUCTING THE LIQUIDATION

6.1. Actions Taken To Date

The Liquidators have:

- Entered into correspondence with Leon Fingerhut, a director of the Company.
- Attended the premises of the Company at Waiwera Road subsequent to their appointment and carried out an inspection of available assets on site. The premises are currently under the control of the landlord.
- Obtained advice from an independent registered valuer on available assets.
- Commenced steps to realise available assets.
- Taken steps to secure the books and records of the Company and have commenced their review of the same.
- Entered into correspondence with creditors listed on the PPSR in relation to their entitlements.

6.2. Proposals for Conducting the Liquidation

The Liquidators will realise all available assets, and will conduct an investigation into the Company's books, records and affairs to:

- Confirm that all assets have been properly accounted for and secured;
- Determine whether there are any other avenues of recovery;
- Determine whether the Company's officers have complied with their duties and taken appropriate steps where necessary.

If you are aware of any party who may be interested in purchasing any of the assets, or if you have any information that may be relevant to the Liquidators' investigations, please contact the Liquidators urgently.

7. LIABILITIES AND CREDITORS CLAIMS

A schedule of all known creditors and their addresses is included at Appendix B as required by Section 255(2)(c) of the Act.

A notice to creditors to prove debts or claims is included at Appendix C. Also included is a creditor claim form for completion and return to this office by 19 April 2019. Creditors who have not made a claim by the date on the notice may be excluded from any distribution made. If you believe that you are a secured creditor please contact us and the appropriate form will be sent to you.

As at the date of this Liquidation 13 parties had registered security interests against the Company on the PPSR. Security interests registered include:

- General security agreements held by Kiwibank Limited (first ranking) and Waiwera Group Limited (second ranking).
- Purchase money security interests held by Brown Brothers Engineers Limited, Canon Finance New Zealand Limited, Flexirent Capital (New Zealand Limited), Gooder Equipment Co Limited, HRB Jacobi Limited and Mercedes-Benz Financial Services New Zealand Limited in relation to specified fixed assets or goods and proceeds.

Should any creditor believe that they are entitled to the return of any item(s), or to the proceeds from the realisation of such item(s), due to holding a Purchase Money Security Interest or a Reservation of Title clause, they should contact the Liquidators immediately.

8. CREDITORS' MEETING / LIQUIDATION COMMITTEE

A notice of the Liquidators' decision to dispense with a meeting of creditors is included at Appendix D. This decision has been made having regard to the assets and liabilities of the Company and the likely outcome of the liquidation. However, the Liquidators do not wish to preclude creditors from expressing any views which they may have and accordingly invite calls from any interested parties which may constructively assist with their administering the liquidation process.

Pursuant to sections 258 and 314 of the Act, creditors may at any time in the course of the liquidation, call a meeting of creditors including for the purpose of appointing a liquidation committee.

9. ESTIMATED DATE OF COMPLETION

It is currently too early to estimate a date of completion for this liquidation.

10. FURTHER INFORMATION AND CONTACT DETAILS

Pursuant to sections 255(2)(d) and 257(1)(a) of the Act, the Liquidators will issue a report to creditors and shareholders on the conduct of the liquidation and on future proposals on a six monthly basis, and upon the completion of the liquidation. If any creditor or shareholder wishes to receive these reports by email as and when they are published, please ensure that an email address is

provided on the creditor claim form. These reports will also be available on the Companies Office website (www.companies.govt.nz).

Enquiries and information that would assist the Liquidators should be directed to:

Name: Daniel Zhang
Email: daniel.zhang@staplesrodway.co.nz
Phone: +64 9 968 9149
Address (Post): C/- Staples Rodway, PO Box 3899, Auckland 1140

Dated: 18 March 2019



.....
T L MAGINNESS
LIQUIDATOR



.....
J W BOOTH
LIQUIDATOR

APPENDIX A

WAIWERA THERMAL RESORT LIMITED (IN LIQUIDATION)

Particulars of the Assets and of the Debts and Liabilities as at the Date of Appointment of Liquidators being 15 February 2019

*Estimated
to Realise*

ASSETS

| | |
|----------------------------|----------------|
| Accounts' Receivable | unknown |
| Fixed Assets (see Notes 3) | unknown |
| | unknown |

LESS GENERAL SECURITY AGREEMENT HOLDERS

| | |
|---|--------------------|
| Kiwibank Limited (first ranking) (see Note 4) | 1,261,026 |
| Waiwera Group Limited (second ranking) (see Note 4) | 2,121,178 |
| | \$3,382,204 |

LESS PREFERENTIAL CREDITORS

| | |
|---|------------------|
| Applicant Creditor and Supporting Creditors: Court Awarded Costs (see Note 5) | 22,393 |
| Employees (see Note 6) | unknown |
| Inland Revenue (estimated) | 584,841 |
| | \$607,235 |

LESS UNSECURED CREDITORS

| | |
|----------------------------------|--------------------|
| Unsecured Creditors (see Note 7) | 1,107,692 |
| | \$1,107,692 |

Estimated Deficiency to Creditors

unknown

Notes:

1. The above amounts are in NZ\$.
2. The above estimates are subject to the costs of the liquidation.
3. Certain fixed assets may be subject to purchase money security interest ("PMSI") and retention of title claims.
4. The General Security Agreement holders' claims will continue to accrue interest until fully paid.
5. This relates to costs awarded by the High Court to the applicant creditor and supporting creditors in relation to their application to have the Company placed into liquidation.
6. The Liquidators have been informed that there are employee claims against the Company. The total value of these is currently known.
7. This excludes the contingent claim from the Company's landlord.

Disclaimer of Liability:

The information contained in the Particulars of Assets and Liabilities has been supplied by the Company, its director, and creditors. We have not verified the information supplied. The particulars of Assets and Liabilities has been prepared for the purpose of the liquidation and we do not accept any responsibility on any grounds whatsoever, including liability in negligence, to any party.

APPENDIX B

SCHEDULE OF CREDITORS Pursuant to Section 255(2)(c)(i) of the Companies Act 1993

| Name | Address | Address | Address |
|--|---------------------------|-------------------------|-------------------|
| A & S Engineering Ltd | 4 Tait Place | Albany 0632 | |
| ACC | P O Box 242 | Wellington 6011 | |
| ACR Systems Ltd | PO Box 99-563 | Newmarket | |
| ASB Bank Limited | P O Box 35 | Shortland Street | Auckland |
| Asmuss Plastics Systems Limited | PO Box 100244 | North Shore City 0745 | Auckland |
| AssetCare Ltd | PO Box 24-343 | Royal Oak | Auckland 1345 |
| Auckland Council | Private Bag 92300 | Auckland 1142 | |
| Auckland Chamber of Commerce & Industry Inc | PO Box 47 | Auckland 1140 | |
| Australian Waterslides and Leisure Pty Limited | P O Box 2220 | Coffs Harbour NSW | Australia 2450 |
| Axis Consultant Ltd | PO Box 34-658 | Birkenhead | Auckland 1142 |
| Ben Mayne Plumbing | PO Box 204 | Waiwera | Auckland 0950 |
| Bettabuilt NI Limited | PO Box 305-047 | Triton Plaza | Auckland 0757 |
| Bidfood Limited | P O Box 62075 | Sylvia Park | Auckland 1644 |
| BOC Limited | 988 Great South Road | Penrose | Auckland 1061 |
| Brown Brothers Engineers Ltd | 16 Sir James Wattie Drive | Hornby | Christchurch 8441 |
| Burkert Fluid Control Systems | 44 Rennie Drive | Airport Oaks | Auckland 2022 |
| Cadibarra Limited | 117 Mellons Bay Road | Auckland 2014 | |
| Canon New Zealand | PO Box 33-336 | Takapuna 0740 | |
| Coca-Cola Amatil (NZ) Limited | Private Bag 14916 | Penmure | |
| Cogent Limited | PO Box 911339 | Victoria Street West | Auckland 1142 |
| Contact Energy Limited | Harbour City Tower | 29 Brandon Street | Wellington 6011 |
| Cube-S Scaffolding Services Ltd | PO Box 86 | Albany Village 0755 | |
| Davey Water Products | PO Box 14-641 | Auckland 1741 | |
| Deloitte | Private Bag 115033 | Auckland 1140 | |
| Dobbie Engineers Limited | PO Box 1055 | Rotorua | |
| Eagar for Leisure Ltd - Spank/Voodoo | PO Box 57139 | Mana | Porirua |
| Eftpos Systems Ltd | P O Box 101956 | North Shore Mail Centre | Auckland |
| Filtration Technology Ltd (Filtec Ltd) | PO Box 132-329 | Sylvia Park | Auckland 1644 |
| Fire Protection Services Limited | PO Box 302-112 | North Harbour | Auckland 0751 |
| Fisher Painting Services Limited | 65b Portage Road | Otahuhu | Auckland 1062 |

Flexirent Capital (New Zealand) Limited
Focus Digital Security Solutions Limited
Focus On Packaging Limited
Fraser Thomas Limited
Fuel Design Ltd
Genesis LPG
Geoffrey Clews Barrister
Gooder Equipment
Hirepool Auckland Limited
Hudson, Gavin, Martin
I.T.Sales and Services Ltd
Inland Revenue Department
Insite Security & Investigation Limited
Integrated Matting Systems
Ipacific Construction Limited
Ipacific Building Limited
IXOM Operations Pty Limited
Jane Anderson QC
Kitomba by Magic Pulse Ltd
Kiwibank Limitd
Knight Frank (KFNZ Limited)
Lowndes Jordan Barristers & Solicitors
Lunch Bites Limited
Mackys Real Estate
Matrix Security Group Limited
Metropolitan Security 2014
MG Financial Services Ltd
Movielink T/A Sky Network Television Ltd
MR Buildings Ltd
Northern Refrigeration Ltd
Northland Waste Limited
NZ Crane Hire
NZ Safety Ltd
NZ Stirrers Limited
Ora HQ Limited
Orewa Lawn Care Limited
Pacific Building Limited

111 Carlton Gore Road
Unit 5, 25 Airborne Road

PO Box 204006
PO Box 377
PO Box 4147
PO Box 1993
PO Box 31-319
PO Box 12048
PO Box 105900
1 William Pickering Drive
PO Box 39010
PO Box 50-145
PO Box 251264
32 Victoria Road
2/460 Hillsborough Road
PO Box 900
P O Box 4338
PO Box 9300
Private Bag 39888
2, 128 Customs St West
PO Box 5966
PO Box 914
c/o Bayleys in the North
PO Box 62669
PO Box 34-618
8 Kelgary Place
PO Box 9059
160 Church Street
29 Seamount Drive
P O Box 11116
PO Box 13-122
Private Bag 92100
P O Box 15182
Level 2, Altrans Building
PO Box 34258
P O Box 302202

Newmarket
Albany

Highbrook
Orewa
Mt Maunganui 3149
Shortland Street
Lower Hutt
Penrose
Auckland 1143
Albany
Wellington Mail Centre
Porirua 5240
Pakuranga
Papatoetoe
Mt Roskill
Auckland 1140
Shortland Street
Wellington
Wellington 5045
Viaduct
Auckland 1141
Whangaparaoa
14 Florence Ave
Greenlane
Birkenhead
Wellsford
Newmarket
Onehunga 1061
Red Beach
Whangarei 0148
Onehunga
Auckland 1
New Lynn
104 Quay Street
Birkenhead
North Harbour

Auckland 1023
Auckland 0751

Auckland 2161
Auckland 0946

Auckland 1140
Wellington 5040
Auckland 1061

Auckland
Lower Hutt 5045

Auckland 2140
Auckland 2025
Auckland 1041

Auckland 1140

Auckland

Auckland 0932
Orewa, Auckland
Auckland 1546

Auckland
Auckland 932

Auckland 1643

Auckland 0600
Auckland 1010
North Shore 0746
Auckland

| | | | |
|--|--------------------------------|-------------------------|---------------|
| Paymark New Zealand | P O Box 799 | Auckland 1140 | |
| Pete's Packaging Ltd | PO Box 21589 | Henderson | |
| Professional Salon Supplies Limited | Unit 1/45 William Pickering Dr | Albany | Auckland |
| Propest Limited | PO Box 31652 | Milford | Auckland 0741 |
| Pure Fiji New Zealand | 197 Mount Albert Road | Sandringham | Auckland 1025 |
| Rentokil Initial Ltd (Previously Fumacare) | Private Bag 92 905 | Onehunga 1643 | |
| Retail Holdings Ltd / Urban Partners Ltd | PO Box 99-887 | Newmarket | Auckland 1149 |
| Sentinel Planning Limited | PO Box 33-995 | Takapuna 0740 | |
| Sky TV | Private Bag 92107 | Victoria St West | Auckland 1142 |
| Studio Gascoigne Limited | PO Box 46103 | Herne Bay | Auckland 1147 |
| The Internet Agency Limited (Unleashing Potential Ltd) | PO Box 101211 | North Shore Mail Centre | Auckland 0745 |
| The Plant People Limited (The Plant People 2006 Ltd) | PO Box 62-137 | Sylvia Park | Auckland 1644 |
| Tompkins Wake | P O Box 2543 | Auckland 1010 | |
| Vista Business Services Ltd | PO Box 51 863 | Pakuranga | Auckland 2140 |
| Visual Craft Ltd | PO Box 301461 | Albany | Auckland 0752 |
| Vodafone | Auckland | | |
| Waiwera Group Limited | P O Box 7311 | Shortland Street | Auckland 1141 |
| Waiwera Properties Limited | C/- Urban Partners | | |
| Waiwera Water New Zealand Limited | | | |
| Watercare Services Ltd | Private Bag 92521 | Wellesley Street | Auckland 1141 |

APPENDIX E

DECLARATION OF INDEPENDENCE, RELEVANT RELATIONSHIPS AND INDEMNITIES ("DIRRI")

Waiwera Thermal Resort Limited (In Liquidation) ("the Company")

BACKGROUND

CAANZ Accredited Insolvency Practitioners (NZ) appointed to an insolvent entity are required to make declarations as to:

1. Their independence generally;
2. Relationships, including:
 - a. the circumstances of the appointment;
 - b. any relationships with the company and others within the previous 24 months;
 - c. any prior professional services for the company within the previous 24 months;
 - d. that there are no other relationships to declare; and
3. Any indemnities given, or upfront payments made, to the Practitioner.

This declaration is made in respect of myself, my partners and the firm Staples Rodway.

1. INDEPENDENCE

We, Tony Leonard Maginness and Jared Waiata Booth of the firm Staples Rodway have undertaken a proper assessment of the risks to our independence prior to accepting the appointment as liquidators of the Company in accordance with the law and applicable professional standards. This assessment identified no real or potential risks to our independence. We are not aware of any reasons that would prevent us from accepting this appointment.

2. DECLARATION OF RELATIONSHIPS

Circumstance of appointment

We were appointed as Liquidators of the Company by order of the High Court at Auckland upon the application of Bidfood Limited. We provided a signed Consent to Act as Liquidators on 17 January 2019 upon request.

Relevant Relationships (excluding Professional Services to the Company)

There are no known relevant relationships, including personal, business and professional, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity which is entitled to enforce a security interest in the whole, or substantially the whole, of the Company's property that should be disclosed other than that detailed below.

A member of our firm provides audit services to the shareholders of Waiwera Properties Limited, the Company's landlord. We believe that this does not result in a conflict of interest or duty because:

- Staples Rodway follows the normal and acceptable business practice of establishing a network of relationships and referrals based on quality of professional service and expertise.
- Each professional engagement undertaken in relation to a particular entity or group of entities is conducted on an entirely separate basis which has no bearing on this appointment.
- These engagements are only commenced after full regard is given to potential conflicts of interest in relation to all interested stakeholders.
- The Liquidators have not been, and are not involved, in the provision of the audit services.
- Any professional relationship with the landlord's shareholders will not influence our ability to comply with the statutory obligations associated with this appointment.
- We are not precluded from acting as Liquidators of the Company under the Companies Act 1993.
- The landlord has not objected to the Liquidators dealing with available assets at the premises.
- This relationship has previously been disclosed to Kiwibank Limited, who hold a first ranking General Security Agreement which grants a security interest over assets at the premises, and who have subsequently consented to the Liquidators dealing with the assets subject to their security interest.

Prior professional services to the Company

Neither we, nor our firm, has provided any professional services to the Company in the previous 24 months.

No other relevant relationships to disclose

There are no other known relevant relationships, including personal, business and professional, from the previous 24 months with the Company, an associate of the Company, a former insolvency practitioner appointed to the Company or any person or entity which is entitled to enforce a security interest in the whole, or substantially the whole, of the Company's property that should be disclosed.

3. INDEMNITIES AND UPFRONT PAYMENTS

We have not been indemnified in relation to this liquidation and we have not received any upfront payments in respect of our remuneration or disbursements.

This does not include statutory indemnities.

Dated: 18 March 2019



.....
T L MAGINNESS
LIQUIDATOR



.....
J W BOOTH
LIQUIDATOR

Notes:

1. If circumstances change, or new information is identified, we are required under the Code of Conduct for Accredited Insolvency Practitioners (CAANZ / RITANZ) to update this Declaration and provide a copy to creditors with our next communication as well as table a copy of any replacement declaration at the next meeting of the insolvent's creditors.
2. Any relationships, indemnities or upfront payments disclosed in the DIRRI must not be such that the Insolvency Practitioner is no longer independent. The purpose of components B and C of the DIRRI is to disclose relationships that, while they do not result in the Insolvency Practitioner having a conflict of interest or duty, ensure that creditors are aware of those relationships and understand why the Insolvency Practitioner nevertheless remains independent.
3. The presentation of the above information is in accordance with the format suggested with the Code of Conduct for Accredited Insolvency Practitioners (CAANZ / RITANZ).

APPENDIX F

REMUNERATION REPORT Waiwera Thermal Resort Limited (In Liquidation) ("the Company")

Qualifications

Tony Maginness, a Director at Staples Rodway, is a CAANZ Accredited Insolvency Practitioner (NZ), with over 10 years of experience in insolvency assignments.

Jared Booth, an Associate Director at Staples Rodway, is a CAANZ Accredited Insolvency Practitioner (NZ) and Chartered Accountant, with over 15 years of local and international experience in insolvency assignments and special purpose investigation assignments.

Both Liquidators have worked across a wide range of entity types and industries and have specialist experience in the administration of liquidations in industries relating to the Company's business and activities.

Staples Rodway provides business advisory services nationwide from 10 locations in New Zealand and with over 460 staff. Services include accounting, audit and assurance, business advice, business recovery and insolvency, business valuations, corporate finance, expert evidence, financial modelling, governance, human resources, information technology and taxation. Staples Rodway also provides international and cross border services through our membership of Baker Tilly International.

Remuneration

Under the Companies Act 1993 and the Code of Conduct for Accredited Insolvency Practitioners (CAANZ / RITANZ), a liquidator is entitled to claim reasonable remuneration, disbursements and costs in respect of necessary work, properly performed in the administration of the liquidation.

The work performed in the administration of a liquidation is determined by:

- The statutory duties and regulations imposed on a liquidator;
- The level of investigations carried out by the liquidator;
- The type and complexity of assets in the liquidation and their method of realisation;
- The type and complexity of legal action to be undertaken by the liquidator;
- The complexity of creditor claims and distributions in the liquidation.

There are 4 primary options available by which a liquidator's remuneration can be calculated, which are:

1. Time Based Charging: This is where a liquidator's remuneration is based on the nominated hourly rate charged by each person who carried out the work, multiplied by the number of hours (or portion thereof) spent by each person on the work performed.
2. Fixed Fee Charging: This is where a liquidator completes a liquidation for a fixed level of remuneration, which is normally quoted and set at the commencement of the liquidation.
3. Percentage Charging: This is where a liquidator's remuneration is based upon a nominated percentage of each nominated category of potential asset realisation,

provided that there are sufficient funds available to meet higher-ranking priority debts.

4. Contingency Arrangement Charging: This is where a liquidator's remuneration is contingent on a previously agreed outcome being achieved.

Having regard to the nature of work involved in this liquidation, the remuneration charged by the Liquidators will be based on the time based charging method. This has been chosen for the following reasons:

- Payment will only be made for work done, subject to sufficient realisations of the Company's assets.
- Time will only be charged for work that is performed. It will be recorded and charged in 6 minute increments and allocated to and performed by staff according to their relevant experience and qualifications.
- When distributing funds to a creditor, a liquidator is required to take into account a creditor's priority to each asset realised (for example, stock) under the Companies Act 1993, the Personal Property Securities Act 1993 and other relevant legislation, as well the liquidator's remuneration, disbursements and costs in realising that asset.
- A number of tasks that are required to be performed, such as the issue of the liquidators' first report, do not relate directly to the realisation of assets.
- It is not possible to estimate with certainty the total amount of time, and therefore the total fee that will be charged, that is necessary to complete all tasks required in the liquidation.

The standard hourly rates charged by the Liquidators for their remuneration are as follows (excluding GST):

| | |
|------------------------|-------------------------|
| Liquidators/Directors: | \$410 to \$470 per hour |
| Insolvency Staff: | \$180 to \$280 per hour |
| Administration: | \$130 to \$180 per hour |

Disbursements

Disbursements incurred in a liquidation may be categorised as follows:

- External non-professional costs: These relate to costs incurred by a liquidator when carrying out their work and are recovered at cost. Examples of this type of disbursement include advertising and travel expenses.
- Internal disbursements: This includes expenses such as telephone calls, photocopying and printing, and are generally recovered at cost. The charging of these costs is based upon a rate which recoups both fixed and variable costs. The recovery of these costs is made on a fair and reasonable commercial basis.

The other costs of a liquidation will dependent upon the nature of the liquidation and the assets being realised, and may include, for example, legal fees, real estate agents commission, and auctioneer fees. These are recovered at cost in the liquidation.

Further Reporting on Remuneration, Disbursements and Costs

The Liquidators will disclose further detailed information to creditors and shareholders on remuneration, disbursements and costs charged for the administration of the liquidation on a six monthly basis and at the end of the liquidation pursuant to the Code of Conduct for Accredited Insolvency Practitioners and sections 255 and 257 of the Companies Act 1993.

CREDITOR'S CLAIM: Section 304(1) Companies Act 1993

| | | | |
|--|--|--|--|
| NAME AND POSTAL ADDRESS OF CREDITOR IN FULL Telephone Number: () Email: My Reference is: (if applicable) | | <p><small>* Any personal information collected is for the purpose of administering the liquidation in accordance with the Companies Act 1993.</small></p> <p><small>This information will be used and retained by the Liquidators and will be released to other parties only with your authorisation or in compliance with the Privacy Act 1993.</small></p> <p><small>Under Section 304(1) of the Companies Act 1993 any claim by an unsecured creditor against a company in liquidation must be in this prescribed form and must</small></p> <p><small>(a) Contain full particulars of the claim; and</small></p> <p><small>(b) Identify any documents that evidence or substantiate the claim.</small></p> <p><small>You may have access to and request correction of any personal information.</small></p> <p><small>(*Not applicable, if creditor is not an individual within the meaning of the Privacy Act 1993.)</small></p> | |
| NAME OF COMPANY IN LIQUIDATION: <div></div> (In Liquidation) | | | |
| <div>I</div> <div>(if claim is made on behalf of creditor, specify relationship to creditor and authority)</div> <div>claim that the company was at the date it was put into liquidation indebted to the abovenamed creditor for the sum of (Amount in words and figures):</div> <div></div> <div></div> | | | |
| STATUS OF CLAIM: <div> <div> 1. I am an unsecured creditor for <div>NZ\$</div> </div> <div> 2. I am a preferential creditor for (Seventh Schedule of the Companies Act 1993) <div>NZ\$</div> </div> <div> 3. My total claim is for Other (state currency if other than NZ\$) Currency <div>NZ\$</div> </div> <div> 4. I am a secured creditor and hold security for the amount claimed <div> <div>Tick if Applicable</div> <div></div> </div> </div> </div> <div> Full particulars of the claim are set out, and any supporting documents that substantiate the claim, are identified on the reverse of this form. The liquidator may require the production of a document under Section 304(2) of the Companies Act 1993. </div> | | | |
| SIGNED: | | Date: / / | |
| WARNING - | | It is an offence under Section 304(6) of the Companies Act to – Make or authorise the making of, a claim that is false or misleading in a material particular knowing it to be false or misleading; or Omit, or authorise the omission from a claim of any matter knowing that the omission makes the claim false or misleading in a material particular. | |
| <div>Received</div> <div>(Date Stamp)</div> | RESERVED FOR OFFICE USE: | | |
| | <div> <div>Claim admitted/rejected for voting purposes: (Delete one)</div> <div>CLAIM REJECTED FOR PAYMENT:</div> <div>or</div> <div>CLAIM ADMITTED FOR PAYMENT:</div> </div> | | |
| | <div> <div> <div>Preferential Claim for:</div> <div>\$</div> <div>Signed Liquidator:</div> <div></div> </div> <div> <div>Ordinary Claim for:</div> <div>\$</div> <div></div> </div> <div> <div>Deferred Claim for:</div> <div>\$</div> <div></div> </div> </div> | | |
| | <div> <div></div> <div>Dated:</div> <div></div> </div> | | |
| | | | |

PARTICULARS OF CLAIM

Where the claim includes goods supplied by the creditor to the company under a Retention of the Title clause, please give full details including a description of the goods and their value.

If the creditor owes money to the company, please give full details.

| Date | Details of Claim and Identification of Documents that Evidence or Substantiate the Claim | Amount \$ |
|------|--|--------------|
| | | |

PREFERENTIAL CLAIMANTS

The Seventh Schedule of the Companies Act 1993 sets out those claims which are recorded as preferential and shows their extent and order of priority.

If applicable please record here your GST Registration number: _____

And total GST included in your claim: \$ _____